

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Benjamin Holly,
Plaintiff

v.

Nye County Sheriff's Department, et al.,
Defendants

2:16-cv-02607-JAD-VCF

**Order Adopting Report and
Recommendation, Denying Motion to
Serve as Moot, and Dismissing and
Closing Case**

[ECF Nos. 10, 11]

Magistrate Judge Ferenbach recommends that I dismiss Benjamin Holly's amended civil-rights complaint because, despite being granted leave to amend with detailed instructions, Holly still fails to state a plausible claim.¹ "[N]o review is required of a magistrate judge's report and recommendation unless objections are filed."² Objections to the magistrate judge's report and recommendation were due by March 28, 2017, and no objections have been filed. Accordingly,

IT IS HEREBY ORDERED that the magistrate judge's report and recommendation [ECF No. 11] is **ADOPTED**. Holly's amended complaint is dismissed with prejudice.

IT IS FURTHER ORDERED that Holly's motion to serve [ECF No. 10] is **DENIED** as moot.

The Clerk of Court is directed to CLOSE THIS CASE.

Dated this 4th day of April, 2017.



Jennifer A. Dorsey
United States District Judge

¹ ECF No. 11.

² *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).